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4 SCOTT JOHNSON,  
5 Plaintiff,

6 v.  
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8 NTT MCKEE RETAIL CENTER LLC, et  
9 al.,  
10

11 Defendants.  
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13 Case No. 21-cv-08590-VKD  
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15 **ORDER TO SHOW CAUSE RE  
16 SETTLEMENT**

17 Re: Dkt. No. 8  
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19 The Court having been informed that the parties have settled this dispute, all previously  
20 scheduled deadlines and appearances are vacated.

21 On or before **February 22, 2022**, dismissal shall be filed pursuant to Fed. R. Civ. P.  
22 41(a)(1). Rule 41(a)(1) permits a plaintiff to voluntarily dismiss a case without a court order (i) by  
23 notice if the defendants have not filed an answer or motion for summary judgment, or (ii) by  
24 stipulation signed by all parties who have appeared.

25 If a dismissal is not filed by the specified date, then the parties shall appear in Courtroom  
26 2, 5th Floor, 280 South First Street, San Jose, California 95113 on **March 1, 2022 at 10:00 a.m.**  
27 and show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(a).  
28 Additionally, the parties shall file a statement in response to this Order to Show Cause no later  
than **February 23, 2022** advising as to (1) the status of the activities of the parties in finalizing  
settlement; and (2) how much additional time, if any, is requested to finalize the settlement and  
file the dismissal. If a dismissal is filed as ordered, the Order to Show Cause hearing will be

1 automatically vacated and the parties need not file a statement in response to this Order.

2 **IT IS SO ORDERED.**

3 Dated: December 27, 2021

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VIRGINIA K. DEMARCHI  
United States Magistrate Judge